

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SARAH PALIN, an individual,

Plaintiff,

– against –

THE NEW YORK TIMES COMPANY,  
a New York corporation, and JAMES  
BENNET, an individual,

Defendant.

No. 17 Civ. 4853

Hon. Jed S. Rakoff

ECF Case

**PLAINTIFF'S NOTICE OF MOTION FOR PARTIAL SUMMARY JUDGMENT**

**PLEASE TAKE NOTICE** that, pursuant to the Amended Civil Case Management Plan entered in this case on March 18, 2020 (ECF No. 90), Plaintiff, Sarah Palin, by undersigned counsel, will move pursuant to Federal Rule of Civil Procedure 56 for entry of a partial summary judgment against all Defendants holding that Plaintiff is not required to prove the defamatory statements at issue in this case were published with “actual malice.”<sup>1</sup>

**PLEASE TAKE FURTHER NOTICE** that, pursuant to the Amended Civil Case Management Plan entered in this case on March 18, 2020 (ECF No. 90), Plaintiff shall file her moving papers on **June 19, 2020**; Defendants shall file their answering papers on or before **July 10, 2020**, Plaintiff shall file her reply papers on or before **July 17, 2020**, and oral argument on the Plaintiff’s motion will be heard before the Honorable Jed S. Rakoff, United States District Judge for the Southern District of New York, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, Courtroom 14B, New York 10007 on **July 27, 2020 at 2:00 pm**.

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<sup>1</sup> Plaintiff reserves all rights and arguments concerning the actual malice issue, including but not limited to, her right to prove actual malice (if necessary) and oppose Defendants’ Motion for Summary Judgment on actual malice by demonstrating a reasonable jury could find the statements at issue in this case were published with actual malice.

Dated: June 12, 2020.

/s/ Shane B. Vogt

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### **CERTIFICATE OF SERVICE**

I hereby certify that Plaintiff's Notice of Motion for Partial Summary Judgment was filed electronically on June 12, 2020. This Notice will be sent by operation of the Court's electronic filing system to counsel of record for all parties as indicated on the electronic filing receipt. Parties and their counsel may access this filing through the Court's system.

/s/ Shane B. Vogt

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Attorney